Agriculture

Forests, Parks and Conservation

Wastewater Treatment

Marine Resources

Urban Development

Air Quality

BRIEFING FOR

ACADEMY FELLOWS
at the ACADEMY FALL MEETING

TAKING ENVIRONMENTAL PROTECTION TO THE NEXT LEVEL:

An Assessment of the U.S. Environmental Services Delivery System

NATIONAL ACADEMY OF PUBLIC ADMINISTRATION®

Thursday, November 15, 2007

BACKGROUND

Purpose of Study

…an independent assessment of the United States environmental services delivery system and ways to optimize the capabilities of each level of government to achieve the greatest environmental and public health results.

Environmental Service Delivery System

The key concept in…the "environmental services delivery system" (ESDS)… is…a new relationship between EPA and the states…to include joint priority setting, increased grant flexibility,…increased reliance on better performance measures focused on environmental results rather that than on detailed oversight,…and negotiation rather than…states responding to federal mandates…

[A system]…dedicated to serving the public interest "no matter which government agency was responsible" and being "directly responsive to the people it serves."…partner with local health departments, county governments, multi-county regional associations of governments, businesses, and the federal EPA to identify common values, visions, operating principles, and joint projects.

BACKGROUND (cont.)

Narrowed the study scope for manageability

- ✓ Water pollution control programs
- ✓ 40,000 "impaired waters" listed (addressed @250/yr.)

Geographic learning platform

- ✓ Chesapeake Bay watershed - 64,000 sq. miles; 6 states; DC; 3169 local govts; many other key layers
- ✓ Mature science; good interstate and interagency process
- ✓ Impaired waters designation
- ✓ Consent decree; 2010 clean-up deadline

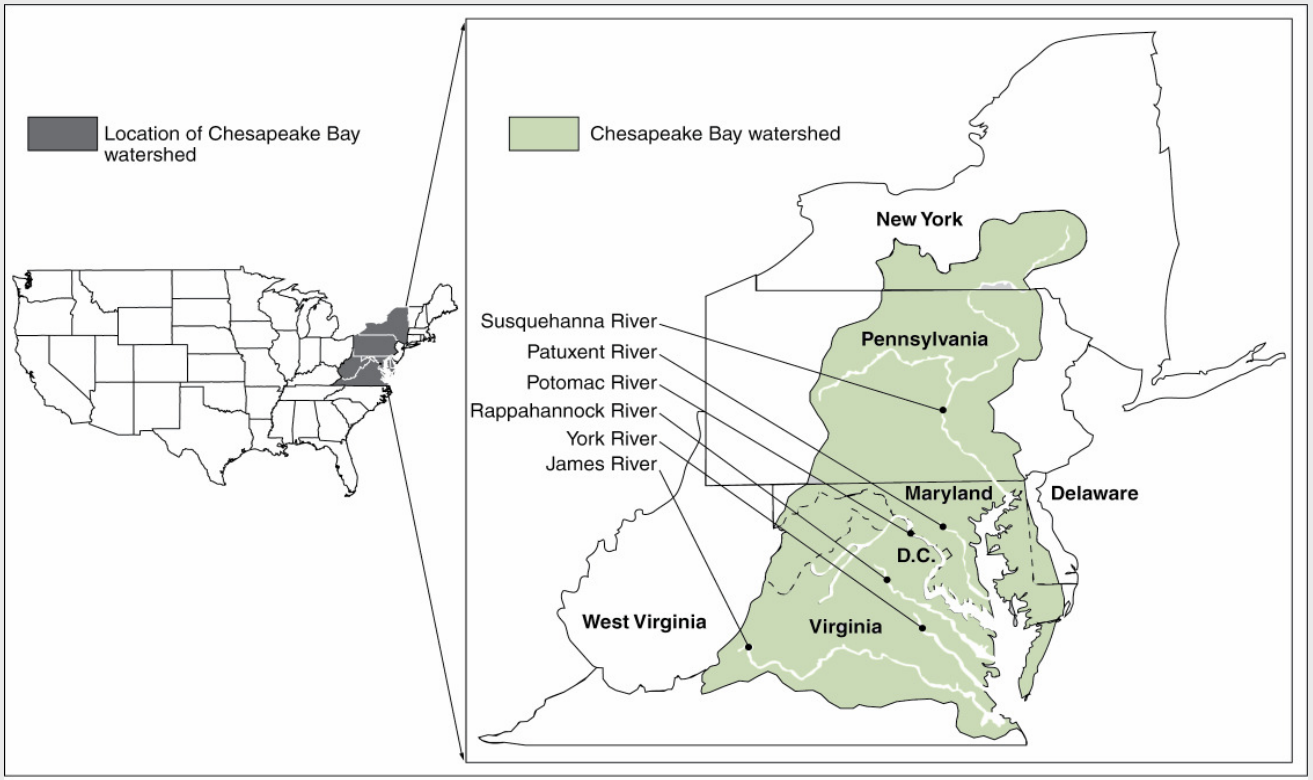
Impaired Waters Listed by States

- The Total number is about 40,000.

State	Current System Version	# of Waters Listed	State	Current System Version	# of Waters Listed
PENNSYLVANIA	2004	6957	MICHIGAN	2004	379
NEW HAMPSHIRE	2004	5192	TEXAS	2002	299
WASHINGTON	2004	1714	CONNECTICUT	2004	267
MINNESOTA	2004	1500	HAWAII	2004	241
IDAHO	2002	1392	LOUISIANA	2004	234
KANSAS	2002	1367	IOWA	2004	213
VIRGINIA	2004	1353	NORTH DAKOTA	2004	211
INDIANA	2004	1320	MAINE	2002	201
OREGON	2002	1177	MISSOURI	2002	197
TENNESSEE	2004	974	ALABAMA	2004	179
ILLINOIS	2004	952	NEW MEXICO	2004	175
NEW JERSEY	2002	899	VERMONT	2002	173
WEST VIRGINIA	2004	889	UTAH	2002	166
FLORIDA	2002	827	SOUTH DAKOTA	2004	165
NEW YORK	2004	792	NEBRASKA	2004	150
MASSACHUSETTS	2002	775	RHODE ISLAND	2004	148
KENTUCKY	2004	736	WYOMING	2004	129
SOUTH CAROLINA	2002	713	ARKANSAS	2002	103
CALIFORNIA	2002	686	NEVADA	2002	99
NORTH CAROLINA	2002	630	PUERTO RICO	2004	86
WISCONSIN	2004	613	COLORADO	1998	79
MONTANA	2002	527	ARIZONA	2004	66
MISSISSIPPI	2002	490	VIRGIN ISLANDS	2004	51
MARYLAND	2004	473	ALASKA	2004	35
GEORGIA	2002	447	DISTRICT OF COLUMBIA	2004	17
OKLAHOMA	2002	436	GUAM	1998	3
OHIO	2004	428	N. MARIANA ISLANDS	1998	2
DELAWARE	2004	379	AMERICAN SAMOA	1998	1

The Chesapeake Bay Learning Platform

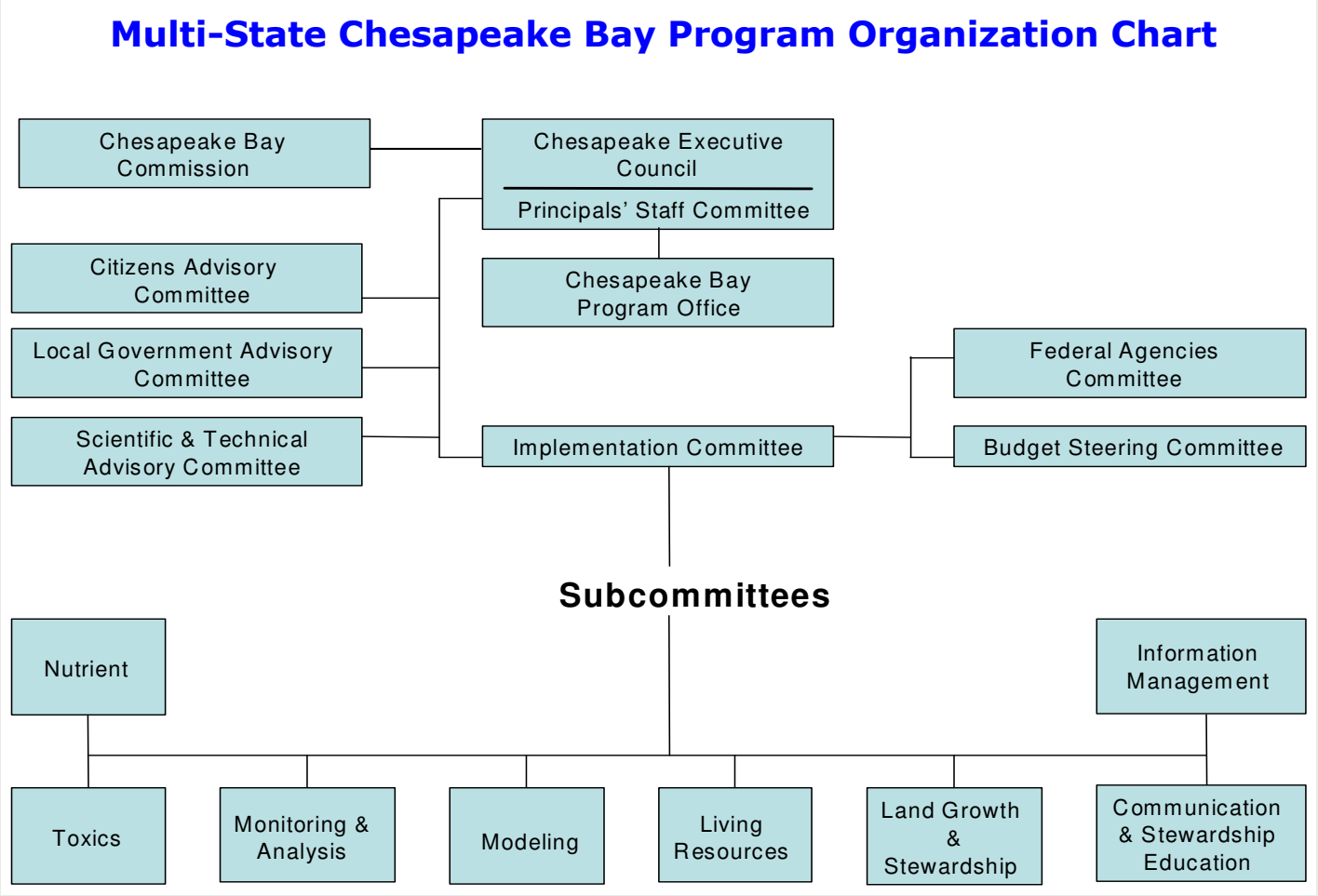
- The Chesapeake Bay is the largest estuary in North America:
  - ✓ Very fertile and productive, yet fragile
  - ✓ Home to 16 million people
  - ✓ Includes parts of 6 states—Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia, plus the District of Columbia



Sources: Cheasapeake Bay Program Office and GAO.

Organizing Partnerships

- The Chesapeake Bay program has established water pollution control partnerships at the multi-state, state and sub-state levels to help bring all the essential actors—and their implementation tools—together to restore the Bay's waters to a healthy condition.
- The collaborative process works mainly through a series of committees.



BACKGROUND (cont.)

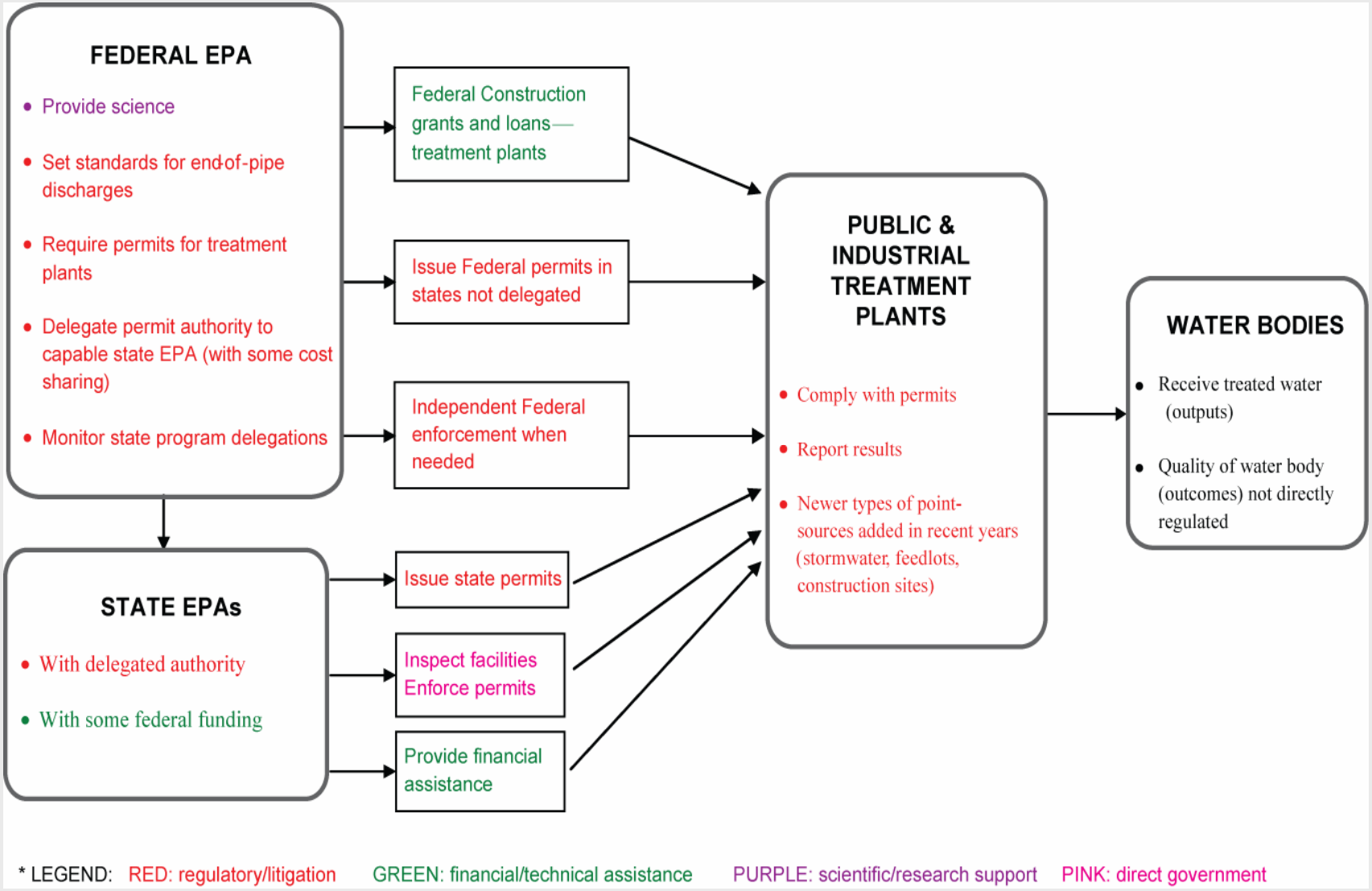
Study Methodology

- ✓ Logic models
- ✓ Tools of government analysis
- ✓ A gap analysis

Study released June 15, 2007

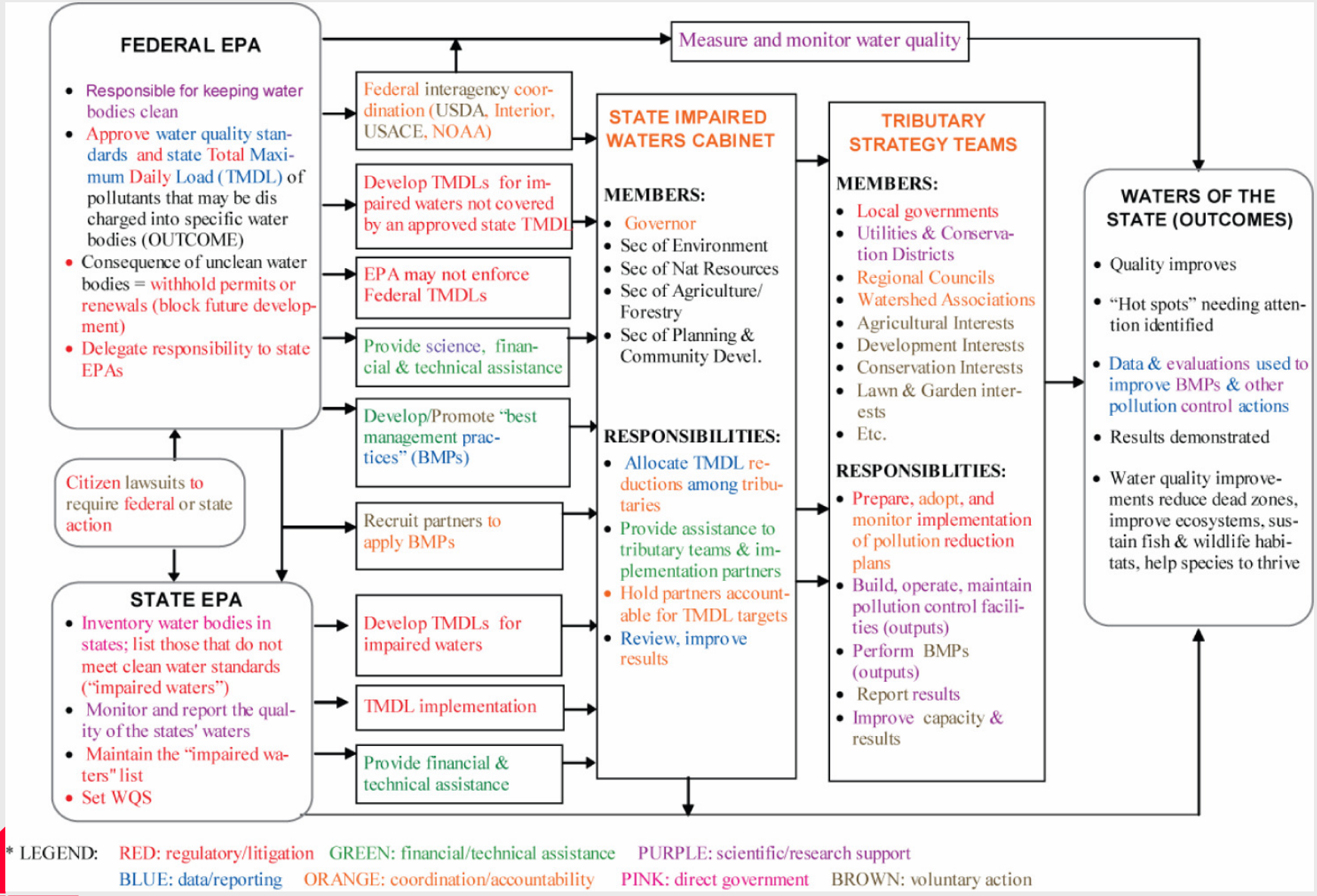
- ✓ Findings & conclusions
- ✓ Recommendations for National action

Heavily Used Traditional Point-Source Water Pollution Control Logic+



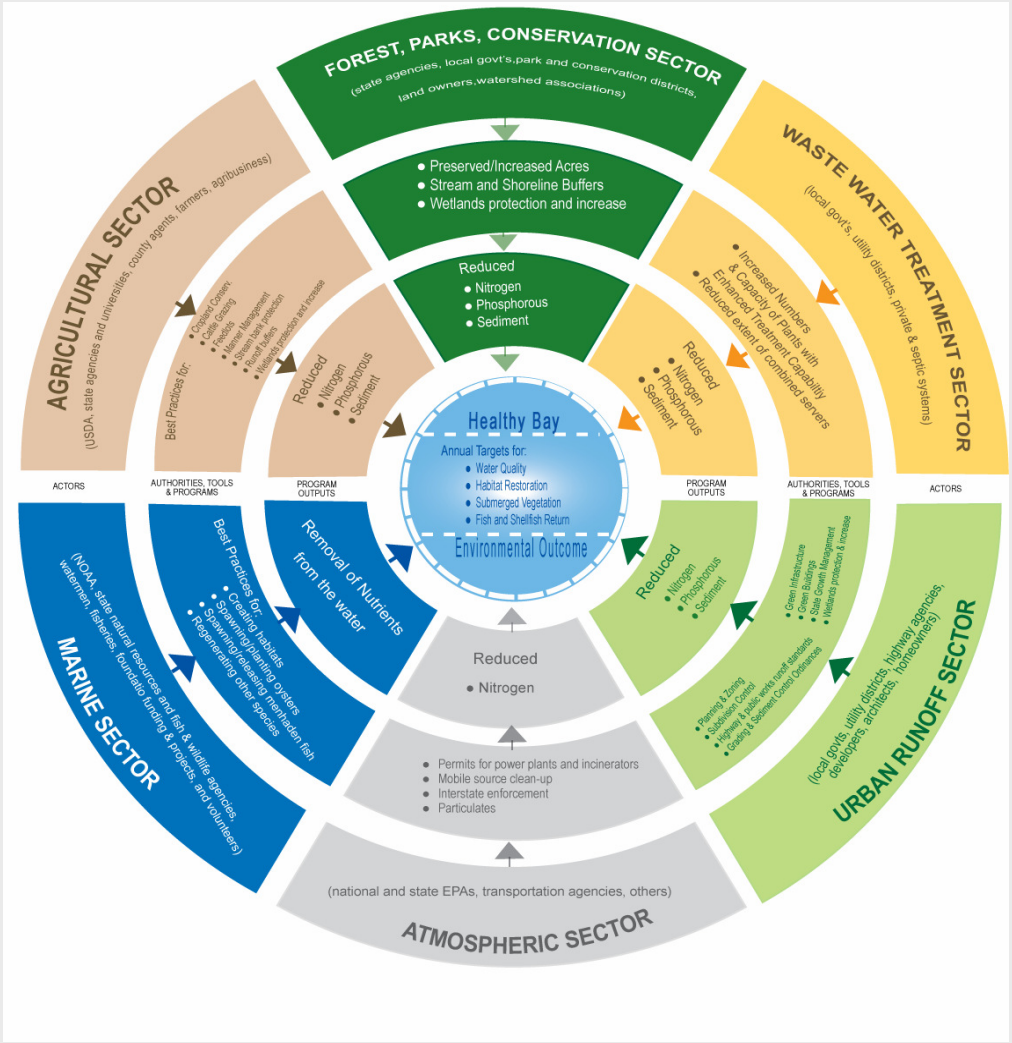
+ (may be as little as 30 percent of the "impaired waters" problem in some watersheds)

Lightly Used NonPoint-Source Water Pollution Control Logic+



+ (may be as much as 70% of the impaired waters problem in some watersheds)

Composite Logic Model of a Healthy Chesapeake Bay

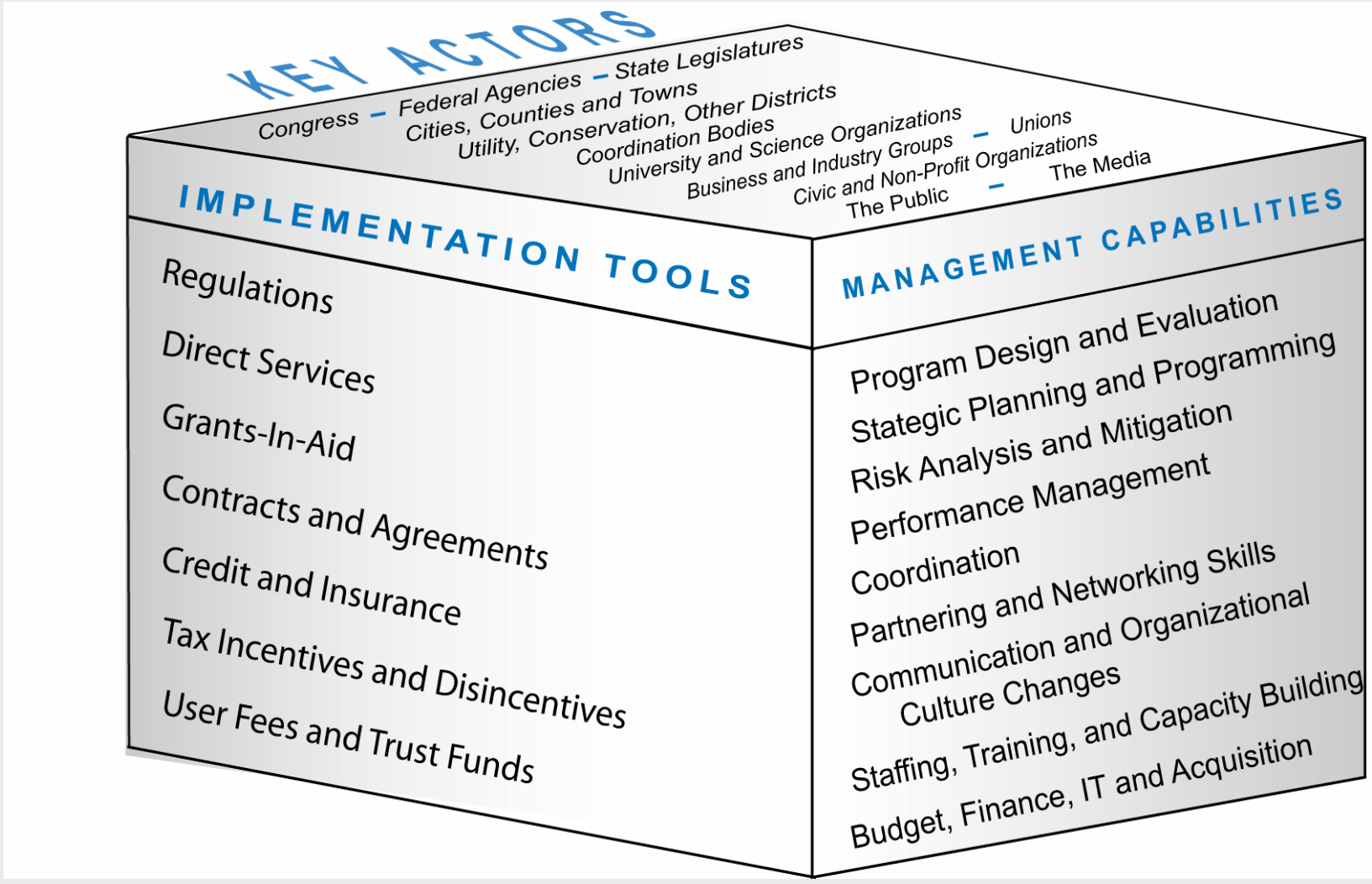


Key Stakeholders

- Each of these Key stakeholders uses a unique variety of implementation tools to help the Bay.

Simplified Analytical Framework

- The Academy used this analytical framework to more fully understand **HOW** the key actors manage their implementation tools to help clean the Bay.



MAIN FINDINGS:
THREE MAJOR GAPS IN IMPLEMENTING "IMPAIRED WATERS"

1. Funding to Implement Clean-up Practices
   - ✓ Too small to match size of the problem
   - ✓ Can't meet judicial deadlines
   - ✓ Runoff mitigation is largest part of the gap (ag. & urban)
2. Non-Regulatory Implementation Tools
   - ✓ Incentivized and voluntary best practices; state and local regulatory options
   - ✓ Not well developed or widely deployed
   - ✓ Clean-up responsibilities allocated to state & local tributaries
   - ✓ No systematic institutional support or accountability mechanisms at implementation level
3. Non-Regulatory Partnering is Underdeveloped at EPA
   - ✓ A different culture than regulatory delegations & inspections
   - ✓ Case studies and principles provided in Academy report
   - ✓ Growing importance -- key to runoff mitigation

Insitutional Landscape

- Reaching the Chesapeake Bay's pollution reduction goals will require the joint efforts of:
  - ✓ 6 states, the District of Columbia, and 3,169 local governments
  - ✓ 23 federal agencies
  - ✓ 678 watershed associations
  - ✓ a large number of "riverkeepers"
  - ✓ 2 interstate river basin commissions
  - ✓ 30 regional councils (multi-county councils of local governments)
  - ✓ 36 state-created tributary strategy teams
  - ✓ 87,000 farm owners
  - ✓ 5-6 million homeowners
  - ✓ hundreds of lawn care companies
  - ✓ an uncounted number of land developers, homebuilders, construction companies, agribusinesses, and other companies that send pollution to the Bay
  - ✓ a very large number of civic and non-profit organizations
- Quite a challenge

MAIN RECOMMENDATIONS

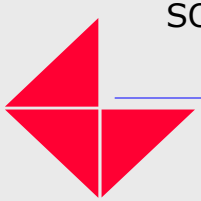
- **Partnering:** Strengthen EPA's culture of partnering with new protocols, practices, training, and employee incentives.
- **Impaired Waters:** Bring nonpoint pollution-control programs into parity with point-source control programs; focus on agricultural and urban runoff.
- **Local Support:** Provide support for intergovernmental coordination and accountability organizations to promote impaired waters implementation at the tributary level.
- **Funding for Implementation:** Develop a sustainable fee-based fund in each state dedicated to water pollution control from all sources. This fund should be:
  - ✓ Sufficient to systematically reduce the size of the state's impaired waters list
  - ✓ Replenished from regular sources of federal, state, and local revenue linked to activities that cause water pollution
  - ✓ Available to mitigate pollution generated by all the main sources based on intergovernmentally determined priorities

Six Principles of Effective Consultation

- Collaborative skills are profoundly important to success.

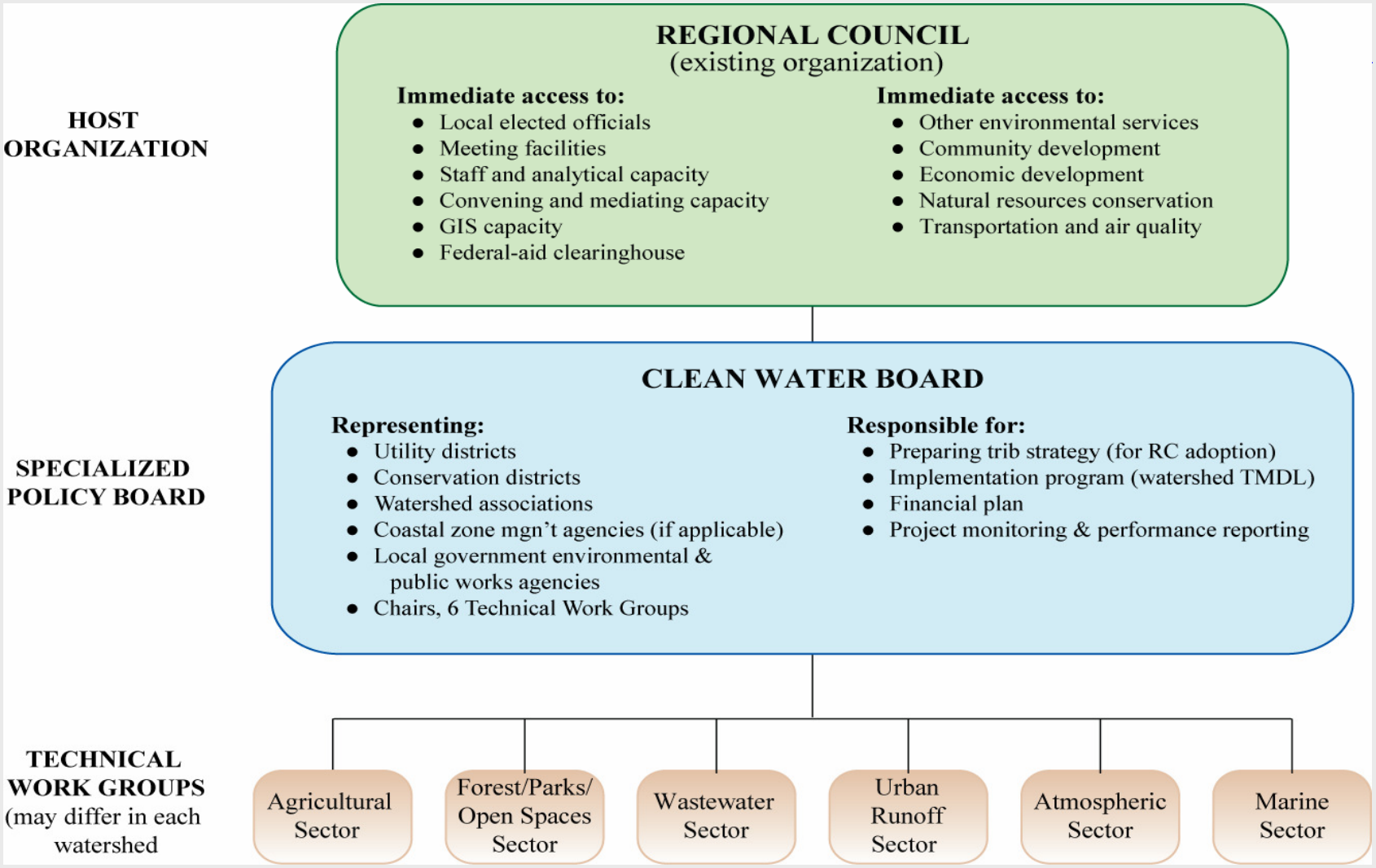
1. Inclusive and well known process
2. Stakeholders assisted to participate effectively
3. Two-way information exchange
4. Timely access to decisionmakers and timely feedback to stakeholders
5. Satisfaction with the process
6. Influence on results

SOURCE: National Academy of Public Administration: *Rural Transportation Consultation Processes,* May 2000.



Tributary Strategy Insitutions

- Tributary Strategy institutions could take many forms. Here is one form that would make good use of existing organizations.



Principles for Federal Managers of Community-Based Programs

- Many federal managers are not equipped to participate in collaborative processes. Yet, effective participation by them is critical to the partnership's success.
  - ✓ Recognize that success will be bottom-up, not top-down
  - ✓ Use a community-based management forum to involve all stakeholders
  - ✓ Get a state, local or non-governmental organization to sponsor the forum
  - ✓ Tailor the forum to meet the federal purpose as well as local needs
  - ✓ Be forthcoming about what the federal government can and cannot do
  - ✓ Expedite the process by keeping it simple
  - ✓ Understand the different roles of advocates and others
  - ✓ Treat all participants with respect
  - ✓ Use professional facilitators
  - ✓ Provide technical analyses that all can trust
  - ✓ Limit research to essential questions that require more information
  - ✓ Frame issues to produce timely decisions
  - ✓ Consider only options that would be practical to implement
  - ✓ Seek short-term accomplishments

SOURCE: National Academy of Public Administration, *Principles for Federal Managers of Community-Based Programs*, August 1997.

POTENTIAL FOLLOW-UP

1. **Performance Metrics**. The key to cleaning up impaired waters (and many other environmental problems) is systematic real-time reporting of progress in meeting the specific pollution reduction targets that have been allocated to specific users of land, water, and air resources.

   - ✓ Existing data systems are not adequate to support this requirement.
   - ✓ New technologies make improved accountability systems increasingly feasible.

2. **Assessment of Other Environmental Programs**.
   Criteria for choosing other programs to study:

   - ✓ Non-point sources of pollution
   - ✓ Environmental outcome desired
   - ✓ Dispersed responsibilities for implementation (intergovernmental to public/private)
   - ✓ No clear regulatory authority or other direct path to implementation

QUESTIONS?